



1PW/1617

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/547,501	
	Filing Date	APRIL 12, 2000	
	First Named Inventor	CHRISTIAN	
	Art Unit	1617	
	Examiner Name	SHAOJIA A. JIANG	
Total Number of Pages in This Submission	11	Attorney Docket Number	IMI-002

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks Response to Notice of Non-Compliant Amendment: Preliminary Amendment in RCE; No Fee Is Required	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	BioMedPatent John S. Sundsmo, Ph.D., 34,446	
Signature		
Date	September 23, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
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Typed or printed name	JOHN S. SUNDSMO, PH.D., 34,446		
Signature		Date	September 23, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christian

Agent Docket No. IMI-002

Serial No: 09/547,501

Group Art Unit: 1617

Filed: April 12, 2000

Examiner: Shaojia A. Jiang

Title: NOVEL PHARMACEUTICAL AGENTS CONTAINING CARBOHYDRATE MOIETIES AND METHODS OF THEIR PREPARATION AND USE

RESPONSE TO NOTICE OF NON-COMPLIANT PRELIMINARY AMENDMENT

Vista, California 92085

September 23, 2004

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Applicant considers the enclosed response to be properly made and seeks instruction if this is not the case.

Request for Extension of Time August 26, 2004: The pending Office Action ("Action") carried a mailing date of February 26, 2004 setting a 3 month period for response expiring May 26, 2004, i.e., extendible under 37 C.F.R. § 1.136(a). Applicant requested on August 26, 23004 that the statutory period for response be extended by 3 months to expire on August 26, 2004 and enclosed the requisite fee and Form SB22.

Documents Transmitted August 26, 2004: The following documents were transmitted on August 26, 2004: (a) a Request for Continued Examination properly made with fee; (b) an Amendment to the Claims and Specification with Replacement Sheets 51, 51A-D; (c) Response to the Paper dated February 26, 2004; and, requisite fees; and, (d) a Supplemental Information Disclosure Statement to address issues raised in the Action. The documents are considered to be a bona fide attempt to fulfill the requirements of a Request for Continued Examination.

Supplemental Documents Transmitted on September 2, 2004: A courtesy copy of Likhoshesterov et al. and Supplemental response were transmitted on September 2, 2004.

Notice of Non-Compliant Amendment dated September 9, 2004: The Amendment to the claims being considered by the Administrative Branch to be improper for including Cancelled claims, the Notice setting a One Month period for response in the case of a non-compliant Preliminary Amendment, and a bone fide attempt being made to fulfill the requirements of the Request for Continued Examination, Applicant now submits within the allowed time period for response a revised set of claims removing the Cancelled claims. A bona fide attempt having been made to fulfill the RCE, the Amendment included therewith considered to a Preliminary Amendment, Response being made within the one month period for response, no fee is required.